

**UNITED STATES DISTRICT COURT**  
for the  
**Middle District of Pennsylvania**

United States of America )

v. )

DON JUAN HARRIS )

) Case No: 1:CR-00-063-04

) USM No: 10039-067

) Thomas Thornton, Assistant Federal Public Defender

) Defendant's Attorney

Date of Previous Judgment: 12/18/2000  
(Use Date of Last Amended Judgment if Applicable)

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 70 months is reduced to time served.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: 31

Amended Offense Level: 29

Criminal History Category: III

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Previous Guideline Range: 135 to 168 months

Amended Guideline Range: 108 to 135 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

**FILED**  
**HARRISBURG, PA**

MAR 12 2008

MARY E. D'ANDREA, CLERK  
Per \_\_\_\_\_ Deputy Clerk

**III. ADDITIONAL COMMENTS**

The delay in the effective date of release is to enable the Bureau of Prisons to complete release planning, conduct any assessments and to collect DNA samples as mandated by law.

Except as provided above, all provisions of the judgment dated 12/18/2000 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: March 12, 2008

  
\_\_\_\_\_  
Judge's signature

Effective Date: March 21, 2008  
(if different from order date)

Sylvia H. Rambo, United States District Judge  
Printed name and title